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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,653	06/04/2001	Douglas Gerald Dunlap	10002842-1	4264

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

HUNTSINGER, PETER K

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/873,653

Applicant(s)

DUNLAP, DOUGLAS GERALD

Examiner

Peter K. Huntsinger

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-13, 15-18 and 21-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-13, 15-18, and 21-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DOUGLAS Q. TRAN
PRIMARY EXAMINER

DETAILED ACTION

Response to Amendment

1. The affidavit filed on 8/19/05 under 37 CFR 1.131 is sufficient to overcome the Amarger et al. Pub. No. US 2003/0035122 reference.

Response to Arguments

2. Applicant's arguments, see remarks, filed 8/19/05, with respect to the rejection(s) of claim(s) 3-13, 15-18, and 21-29 under 35 U.S.C. 103 have been fully considered and are persuasive due to the 37 CFR 1.131 affidavit. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of different interpretation of the previously applied reference and new prior art.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-13, 15-18, and 21-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacoub Publication 2003/0011805 and Mastie et al. U.S. Patent 6,515,756.

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Referring to claims 11 and 18, Yacoub discloses a method and a program of selecting a printer from a plurality of printers to fulfill a print job of a user, the method comprising: registering a printing capability of the printers (page 1, paragraph 10) with a printer selection system controller (server 460 of Fig. 4, page 4, paragraph 33); receiving a print request for the print job from the user at the printer selection system controller (step 200 of Fig. 2, page 2, paragraph 22); determining via the printer selection system controller which of the printers have the printing capability to fulfill the print job, including comparing the print request for the print job with the printing capability of the printers (step 220 and step 230 of Fig. 2, page 3, paragraph 24); compiling a list of at least one of the printers which has the printing capability to fulfill the print job (page 3, paragraph 26); and presenting the list of the at least one of the printers to the user (step 270 of Fig. 2, page 3, paragraph 24). Yacoub discloses a print request but does not disclose expressly associating a data file with a print request. Mastie et al. discloses associating a data file with a print job (col. 2, lines 60-62). Yacoub and Mastie et al. are combinable because they are from the same field of processing of printing data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to associate a data file with a print job as disclosed by Mastie et al. with the printer system of Yacoub. The motivation for doing so would have been to provide complex fonts, graphics, and image handling capabilities required by today's applications. Therefore, it would have been obvious to combine Mastie et al. with Yacoub to obtain the invention as specified in claims 11 and 18.

Referring to claim 28, Yacoub discloses a system for selecting a printer from a plurality of printers to fulfill a print job of a user, the system comprising: a memory device configured to have a printing capability of the printers stored therein (page 1, paragraph 10); and a processor adapted to compare a print request for the print job with the printing capability of the printers to determine which of the printers have the printing capability to fulfill the print job (step 220 and step 230 of Fig. 2, page 3, paragraph 24), wherein the processor is adapted to compile a list of at least one of the printers which has the printing capability to fulfill the print job (page 3, paragraph 26), wherein the memory device and the processor are included in a printer selection system controller (server 460 of Fig. 4, page 4, paragraph 33), wherein the printer selection system controller is adapted to receive the print request for the print job (step 200 of Fig. 2, page 2, paragraph 22), and wherein the printer selection system controller is adapted to present the list of the at least one of the printers to the user (step 270 of Fig. 2, page 3, paragraph 24). It is inherent that the server of Yacoub includes a memory and a processor as these are necessary components within a computer. Yacoub discloses a print request but does not disclose expressly associating a data file with a print request. Mastie et al. discloses associating a data file with a print job (col. 2, lines 60-62). Yacoub and Mastie et al. are combinable because they are from the same field of processing of printing data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to associate a data file with a print job as disclosed by Mastie et al. with the printer system of Yacoub. The motivation for doing so would have been to provide complex fonts, graphics, and image handling capabilities required by

today's applications. Therefore, it would have been obvious to combine Mastie et al. with Yacoub to obtain the invention as specified in claim 28.

Referring to claim 3, Yacoub discloses linking the user and the printer selection system controller via a communication link, wherein the step of presenting the list includes presenting the list of the at least one of the printers to the user via the communication link (network 450 of Fig. 4, page 4, paragraph 33).

Referring to claims 4 and 15, Yacoub discloses receiving a printer selection for the print job from the user at the printer selection system controller, wherein the printer selection includes a selected printer from the list of the at least one of the printers (step 200 of Fig. 2, page 2, paragraph 22).

Referring to claim 5, Yacoub discloses linking the user and the printer selection system controller via a communication link, wherein the step of receiving the printer selection includes receiving the printer selection for the print job from the user via the communication link (network 450 of Fig. 4, page 4, paragraph 33).

Referring to claims 6 and 16, Yacoub discloses distributing the print request to the selected printer (step 260 of Fig. 2, page 3, paragraph 24).

Referring to claims 7, 21, and 23, Yacoub discloses linking the printers and the printer selection system controller via a communication link, wherein the step of distributing the print request includes distributing the print request to the selected printer via the communication link (network 450 of Fig. 4, page 4, paragraph 33).

Referring to claims 8, 17 and 26, Yacoub discloses presenting to the user a user interface including at least one input field representing at least one option for the print

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job, wherein the step of receiving the print request includes receiving at least one attribute for the print job as specified with the at least one input field of the user interface (page 4, paragraph 30).

Referring to claims 9 and 27, Yacoub discloses wherein the step of receiving the print request includes receiving at least one of a number of copies, a print medium, a printing quality option, a printing layout, a color printing option, a finishing option, a printer location, a printing priority, and an archive option for the print job (page 4, paragraph 30).

Referring to claim 10, Yacoub discloses linking the user and the printer selection system controller via a communication link, wherein the step of receiving the print request includes receiving the print request for the print job from the user via the communication link (network 450 of Fig. 4, page 4, paragraph 33).

Referring to claim 12, Yacoub discloses linking the printers and the printer selection system controller via a communication link, wherein the step of registering the printing capability includes registering the printing capability of the printers with the printer selection system controller via the communication link (network 450 of Fig. 4, page 4, paragraph 33).

Referring to claims 13 and 25, Yacoub discloses wherein the step of registering the printing capability includes registering at least one of an identification, a print medium capability, a print quality capability, a printing layout capability, a color printing capability, a finishing capability, a printing speed, a printer queue, and an archive printing capability of the printers (page 3, paragraph 26).

Referring to claim 22, Yacoub discloses wherein the printer selection system controller is adapted to receive a printer selection for the print job from the user, the printer selection including a selected printer from the list of the at least one of the printers step 200 of Fig. 2, page 2, paragraph 22), wherein the printer selection system controller is adapted to distribute the print request for the print job to the selected printer (step 260 of Fig. 2, page 3, paragraph 24).

Referring to claim 24, Yacoub discloses wherein the printer selection system controller is adapted to receive the printing capability of the printers from the printers via the communication link (network 450 of Fig. 4, page 4, paragraph 33).

Referring to claim 29, Yacoub discloses wherein the printer selection system controller is adapted to receive a printer selection for the print job from the user, the printer selection including a selected printer from the list of the at least one of the printers step 200 of Fig. 2, page 2, paragraph 22), wherein the printer selection system controller is adapted to distribute the print request for the print job to the selected printer (step 260 of Fig. 2, page 3, paragraph 24). Mastie et al. discloses associating a data file with a print job (col. 2, lines 60-62).

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (571)272-7435. The examiner can normally be reached on Monday - Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PKH


DOUGLAS Q. TRAN
PRIMARY EXAMINER